

Serial No. 10/748,737
Art Unit 1616

Docket No. HC12U-US

REMARKS/ARGUMENTS

Claims 1 through 24 are pending in this application.

The Office Action asserts that an election of a single invention is required, as defined by:

Group I, Claims 1-12, drawn to a hair composition and

Group II, Claims 13-24, drawn to a method of treating hair.

Applicants elect to prosecute Claims 13-24 of Group II. Accordingly, Claims 1-13 (Group I) have been withdrawn without prejudice.

Regarding Election of Species, Applicant elects the species polyglyceryl-3-laurate.

The specification and claims have been amended to correct a typographical error in the spelling of this elected species from polyglycerol-3-laurate to polyglyceryl-3-laurate. In this regard attached is page 1819 of the International Cosmetic Ingredient Dictionary and Handbook, Vol. 2 (11th Edition, 2005) ("INCI"), which identified the polyglyceryl-3-laurate species as the ester of lauric acid and polyglycerin-3. Also attached is INCI page 1807, which shows that there are no entries for a "Polyglycerol" compound including polyglycerol-3-laurate. Applicant also attached the product specification sheet for Hydramol™ TGL Ester manufactured by Noveon, Inc. which material is polyglyceryl-3-laurate. Hydramol™ TGL is identified at page 9 of the Specification, paragraph bridging from page 8. [Note that Scher Chemical, Inc. was acquired by Noveon. See attached.]

In light of the above, Applicant submits that no new matter has been added by way of this amendment.

Applicant has also made a minor correction to Claim 17.

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International Cosmetic Ingredient Dictionary and Handbook

**Eleventh Edition
2006**

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Volume 2

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Polyglyceryl-6 Behenate

POLYGLYCERIN-4

CTFA Monograph ID: 7362

CAS No.: 56491-53-3

JPN Translation:
ポリグリセリン-4CN Translation:
聚甘油-4

Definition: Polyglycerin-4 is a glycerin polymer containing 4 glycerin units.

Information Source: JCLS

Chemical Classes: Ethers; Polyols

Function: Skin-Conditioning Agent - Humectant

Ingredient Source: Synthetic

Technical/Other Names:

Tetraglycerin
Tetraglycerol

Trade Names:

Polyglycerin #310 (Sakamoto Yakuhin Kogyo)
Polyglycerin 04P (Daiichi Chemical Industries)**POLYGLYCERIN-6**

CTFA Monograph ID: 7563

CAS No.: 36675-34-0 EINECS/ELINCS
253-154-8 (I)JPN Translation:
ポリグリセリン-6CN Translation:
聚甘油-6

Definition: Polyglycerin-6 is a glycerin polymer containing 6 glycerin units.

Information Source: JCLS

Chemical Classes: Ethers; Polyols

Function: Skin-Conditioning Agent - Humectant

Ingredient Source: Synthetic

Technical/Other Names:

Hexaglycerin
Hexaglycerol

Trade Names:

Polyglycerin #500 (Sakamoto Yakuhin Kogyo)
Polyglycerin 06P (Daiichi Chemical Industries)

Trade Name Mixture:

Natrulon H-6 (Lonza Inc./Lonza Ltd.)

POLYGLYCERIN-10

CTFA Monograph ID: 7564

CAS No.: 9041-07-0 EINECS/ELINCS
232-821-0 (I)JPN Translation:
ポリグリセリン-10CN Translation:
聚甘油-10

Definition: Polyglycerin-10 is a glycerin polymer containing 10 glycerin units.

Information Source: JCLS

Chemical Classes: Ethers; Polyols

Function: Skin-Conditioning Agent - Humectant

Ingredient Source: Synthetic

Technical/Other Names:

Decaglycerin
Decaglycerol

Trade Names:

Polyglycerine 10PS (Daiichi Chemical Industries)
Polyglycerin #750 (Sakamoto Yakuhin Kogyo)

Trade Name Mixtures:

Natrulon H-10 (Lonza Inc./Lonza Ltd.)
Natrulon RC-50DG (Lonza Inc./Lonza Ltd.)
Natrulon RCS-DG (Lonza Inc./Lonza Ltd.)
Nikkol Decaglyn 1-50SV (Nikka)**POLYGLYCERIN-20**

CTFA Monograph ID: 19144

CAS No.: 25618-55-7 (Generic)

Definition: Polyglycerin-20 is a glycerin polymer containing 20 glycerin units. See *Reported Ingredient Functions-The Cosmetic Drug Distinction, in Regulatory and Ingredient Use Information, Volume I, Part A.*

Chemical Classes: Ethers; Polyols

Functions: Antimicrobial Agent; Humectant; Skin-Conditioning Agent - Humectant; Viscosity Increasing Agent - Aqueous

Ingredient Source: Synthetic

Trade Name:

Polyglycerin 20P (Daiichi Chemical Industries)

POLYGLYCERIN-40

CTFA Monograph ID: 19145

CAS No.: 25618-55-7 (Generic)

Definition: Polyglycerin-40 is a glycerin polymer containing 40 glycerin units. See

Reported Ingredient Functions-The Cosmetic Drug Distinction, in Regulatory and Ingredient Use Information, Volume I, Part A.

Chemical Classes: Ethers; Polyols

Functions: Antimicrobial Agent; Humectant; Skin-Conditioning Agent - Humectant; Viscosity Increasing Agent - Aqueous

Ingredient Source: Synthetic

Trade Name:

Polyglycerin XP (Daiichi Chemical Industries)

POLYGLYCERYL-4 ALMONDATE/SHEA BUTTERATE

CTFA Monograph ID: 11172

Definition: Polyglyceryl-4 Almonddate/Shea Butterate is an ester of a mixture of fatty acids derived from almond oil and Butyrospermum Parkii (Shea Butter) (q.v.) with Polyglycerin-4 (q.v.).

Chemical Class: Glyceryl Esters and Derivatives

Function: Surfactant - Emulsifying Agent

Ingredient Sources: Plant; Synthetic

Trade Name:

Polyphytol AK-40-DS (Blendit)

POLYGLYCERYL-3 BEESWAX

CTFA Monograph ID: 5163

CAS No.: 136897-93-3

JPN Translation:
ポリグリセリル-3 ミツロウCN Translation:
聚甘油-3 蜂蜡酯

Definition: Polyglyceryl-3 Beeswax is an ester of beeswax fatty acids and Polyglycerin-3 (q.v.).

Chemical Class: Glyceryl Esters and Derivatives

Function: Surfactant - Emulsifying Agent

Ingredient Sources: Animal; Synthetic

Reported Product Category: Mascara

Trade Names:

Cera Bellina (Dekker)
Cera Bellina (Koster Kaunen)**POLYGLYCERYL-6 BEHENATE**

CTFA Monograph ID: 17561

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Monographs • 1807

International Cosmetic Ingredient Dictionary and Handbook

Polyglyceryl-10 Laurate

CAS No.: 98499-88-2

JPN Translation:
ラウリン酸ポリグリセリル - 2CN Translation:
聚甘油-2 月桂酸酯Empirical Formula:
 $C_{18}H_{36}O_4$

Definition: Polyglyceryl-2 Laurate is the ester of lauric acid and Diglycerin (q.v.).

Information Source: JCLS

Chemical Class: Glyceryl Esters and Derivatives

Functions: Skin-Conditioning Agent - Emollient; Surfactant - Emulsifying Agent

Ingredient Sources: Plant; Synthetic

Technical/Other Names:
Decanoic Acid, monoester with Oxybis (Propanediol)
Diglyceryl Monolaurate
Lauric Acid, Monoester with DiglycerolTrade Names:
Dermofeel G 2 L (Straetmans)
Sunsoft Q-12D (Taiyo Kagaku)Trade Name Mixture:
Nikkol Nikkoguard DL (Nikko)

CTFA Monograph ID: 6590

CAS No.: 51033-31-9

JPN Translation:
ラウリン酸ポリグリセリル - 3CN Translation:
聚甘油-3 月桂酸酯Empirical Formula:
 $C_{21}H_{42}O_6$

Definition: Polyglyceryl-3 Laurate is the ester of lauric acid and Polyglycerin-3 (q.v.).

Information Source: JCLS

Chemical Class: Glyceryl Esters and Derivatives

Functions: Skin-Conditioning Agent - Emollient; Surfactant - Emulsifying Agent

Ingredient Sources: Plant; Synthetic

Technical/Other Names:
Dodecanoic Acid, Monoester with 3,3'-[(2-Hydroxy-1,3-Propanediyl)Bis(Oxy)]Bis[1,2-Propanediol]
Dodecanoic Acid, Monoester with Triglycerol
Triglycerol Laurate
Triglyceryl MonolaurateTrade Names:
Dermofeel G 3 L (Straetmans)Sunsoft A-12C (Taiyo Kagaku)
Sunsoft A-121C (Taiyo Kagaku)

POLYGLYCERYL-4 LAURATE

CTFA Monograph ID: 6505

CAS No.: 75795-42-4

JPN Translation:
ラウリン酸ポリグリセリル - 4CN Translation:
聚甘油-4 月桂酸酯Empirical Formula:
 $C_{24}H_{48}O_{10}$

Definition: Polyglyceryl-4 Laurate is the ester of lauric acid and Polyglycerin-4 (q.v.).

Information Sources: JCLS, JSQI

Chemical Class: Glyceryl Esters and Derivatives

Functions: Skin-Conditioning Agent - Emollient; Surfactant - Emulsifying Agent

Ingredient Sources: Plant; Synthetic

Technical/Other Names:
Dodecanoic Acid, Monoester with Tetraglycerol
Tetraglyceryl MonolaurateTrade Name:
S-Face L-4Q1 (Sakamoto-Yakuhin Kogyo)

POLYGLYCERYL-5 LAURATE

CTFA Monograph ID: 6508

CAS No.: 126738-83-0

JPN Translation:
ラウリン酸ポリグリセリル - 5CN Translation:
聚甘油-5 月桂酸酯Empirical Formula:
 $C_{27}H_{54}O_{12}$

Definition: Polyglyceryl-5 Laurate is the ester of lauric acid and a glycerin polymer containing an average of 5 glycerin units.

Information Source: JCLS

Chemical Class: Glyceryl Esters and Derivatives

Functions: Skin-Conditioning Agent - Emollient; Surfactant - Emulsifying Agent

Ingredient Sources: Plant; Synthetic

Technical/Other Names:
Dodecanoic Acid, Monoester with Pentaglycerol
Pentaglyceryl Monolaurate

Trade Names:

Dermofeel G-6 L (Straetmans)
Sunsoft A-12E (Taiyo Kagaku)
Sunsoft A-121E (Taiyo Kagaku)

POLYGLYCERYL-6 LAURATE

CTFA Monograph ID: 6586

CAS No.: 51033-38-6

JPN Translation:
ラウリン酸ポリグリセリル - 6CN Translation:
聚甘油-6 月桂酸酯Empirical Formula:
 $C_{30}H_{60}O_{14}$

Definition: Polyglyceryl-6 Laurate is the ester of lauric acid and Polyglycerin-6 (q.v.).

Information Source: JCLS

Chemical Class: Glyceryl Esters and Derivatives

Functions: Skin-Conditioning Agent - Emollient; Surfactant - Emulsifying Agent

Ingredient Sources: Plant; Synthetic

Technical/Other Names:
Dodecanoic Acid, Monoester with Hexaglycerol
Dodecanoic Acid, Monoester with 4,6,12,16,20-Pentaoxidodecane-1,2,8,10,14,18,22,23-Octol
Hexaglyceryl MonolaurateTrade Names:
Nikkol Hexaglyn 1-L (Nikko)
S-Face L-801 (Sakamoto Yakuhin Kogyo)
Sunsoft Q-12F (Taiyo Kagaku)Trade Name Mixture:
Oryza Sterol - LC (Oryza Oil)

POLYGLYCERYL-10 LAURATE

CTFA Monograph ID: 4137

CAS No.: 34406-68-1

JPN Translation:
ラウリン酸ポリグリセリル - 10CN Translation:
聚甘油-10 月桂酸酯Empirical Formula:
 $C_{42}H_{84}O_{22}$

Definition: Polyglyceryl-10 Laurate is an ester of lauric acid and Polyglycerin-10 (q.v.).

Information Sources: 21CFR172.854; JCLS, JSQI

Chemical Class: Glyceryl Esters and Derivatives

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Edition: April 28, 2006

Hydramol™* TGL Ester

Product Specifications

INCI Name: Polyglyceryl-3 Laurate
 Chemical Name: Triglycerol Monolaurate
 CAS Number: 51033-31-9

	MINIMUM	MAXIMUM	TEST FREQUENCY	NOVEON PROCEDURE NUMBER
Appearance @ 25°C	Clear to Slightly Hazy Viscous Liquid	Clear to Slightly Hazy Viscous Liquid	Once Per Lot	C016
Color, Gardner	—	4	Once Per Lot	C040
Odor	Slight, Characteristic	Slight, Characteristic	Once Per Lot	C017
Acid Value (mg KOH/gram)	—	6.00	Once Per Lot	C001
Saponification Value (mg KOH/gram)	128.00	144.00	Once Per Lot	C008
Infrared Spectrum	Conforms to References	Conforms to References	Once Per Lot	C013

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Noveon Expands Personal Care Business with Acquisition of Scher Chemicals, Inc.

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Noveon Expands Personal Care Business with Acquisition of Scher Chemicals, Inc.



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CLEVELAND, OH USA 05/23/2001

CLEVELAND, Jan. 6 /PRNewswire/ -- Noveon, Inc. announced today that it has acquired Scher Chemicals, Inc., a manufacturer of emollient and surfactant specialty chemicals used in cosmetic and other personal care formulations. This investment expands Noveon's personal care product offering to include specialty emollients and other ingredients important to its customer base. Scher markets their products under the brand names Schercemol(TM), Schercoquat(TM), Schercomid(TM), and Hydramol(TM). The products are widely used globally throughout the personal care industry. The terms of the agreement were not disclosed.

(Logo: <http://www.newscom.com/cgi-bin/prnh/20010523/CLW011LOGO-b>)

According to Bill Sedlacek, Sr. VP and General Manager of Noveon's Personal Care and Pharmaceutical product lines, "The acquisition of the Scher product line is another step in our effort to expand Noveon's global product offering as a key personal care ingredients supplier. We are very excited about these new product lines we can provide to our global customer base."

Noveon is a leading global producer and marketer of technologically advanced specialty chemicals for a broad range of consumer and industrial applications with revenues in 2002 of \$1.1 billion. Noveon is headquartered in Cleveland, Ohio, with regional centers in Brussels, Belgium, and Hong Kong.

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